



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (206) 316-3037
ATTN: Mr. Jonathan Smith,
Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6068
ATTN: SEA Program,
Federal Permit Coordinator

Public Notice Date: February 26, 2015
Expiration Date: March 13, 2015

Reference No.: NWS-2014-1140
Name: City of Des Moines, Department
of Public Works

15-Day Public Comment Period

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated April 15, 2014.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA). Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: City of Des Moines, Department of Public Works
Attention: Mr. Loren Reinhold
21650 11th Avenue South
Des Moines, Washington 98198
Telephone: (206) 870-6524 Email: lreinhold@desmoineswa.gov

AGENT: Ms. Lisa Adolfson
Environmental Science Associates
5309 Shilshole Avenue Northwest, Suite 200
Seattle, Washington 98107
Telephone: (206) 789-9658 Email: ladolfson@esassoc.com

LOCATION: In Massey Creek near the intersection of State Route 516 and Marine View Drive South at Des Moines, King County, Washington.

WORK: Install sandbags and temporary stream bypass pipe. Excavate 180 linear feet of streambed and bank at or waterward of ordinary high water line. Backfill portion of former creek channel, and place cobble and gravel in 235 linear feet of new and existing creek channel.

PURPOSE: Prevent flooding of the intersection of State Route 516 and Marine View Drive South, and nearby businesses/properties.

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ADDITIONAL INFORMATION: Work in uplands outside the Corps jurisdiction includes excavating 180 linear feet of riparian terrace and steeper slopes beside the creek, installing 200 linear feet of sheetpiling on the south bank, constructing 400 linear feet of earthen berm on the north bank, and planting all disturbed/riparian areas.

MITIGATION: The applicant will remove/control invasive species, including Japanese knotweed, re-plant the construction site and riparian areas, and shape the new stream channel and place cobbles/gravels and large woody debris in it to enhance fish habitat.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires Federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. A preliminary determination indicates that the activity will not affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is not required.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area. The Corps has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The Corps invites responses to this public notice from Native American Tribes or Tribal Governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or Tribal Governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species,

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historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or Tribal Governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.

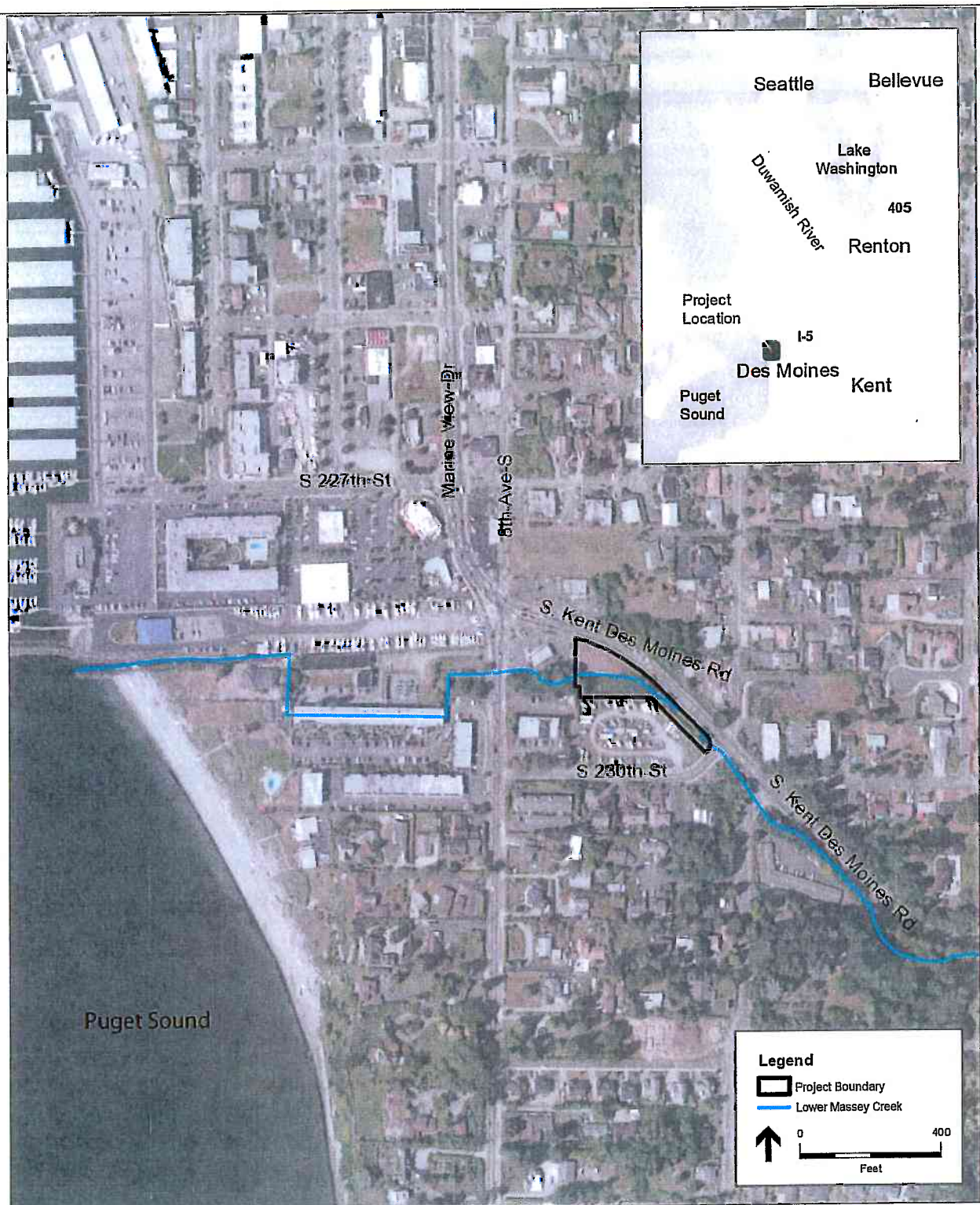
CORPS COMMENTS: All e-mail comments should be sent to jonathan.smith@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Mr. Jonathan Smith, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: City of Des Moines, Department of Public Works; NWS-2014-1140.

Encl: Figures (9)

FILE NAME: Sheet01_Vicinity / CREATED BY: JAC / DATE LAST UPDATED: 04/14/14



VICINITY MAP

REFERENCE #: *NWS 2014-1140*

APPLICANT: City of Des Moines

HORIZONTAL DATUM: NAVD 88

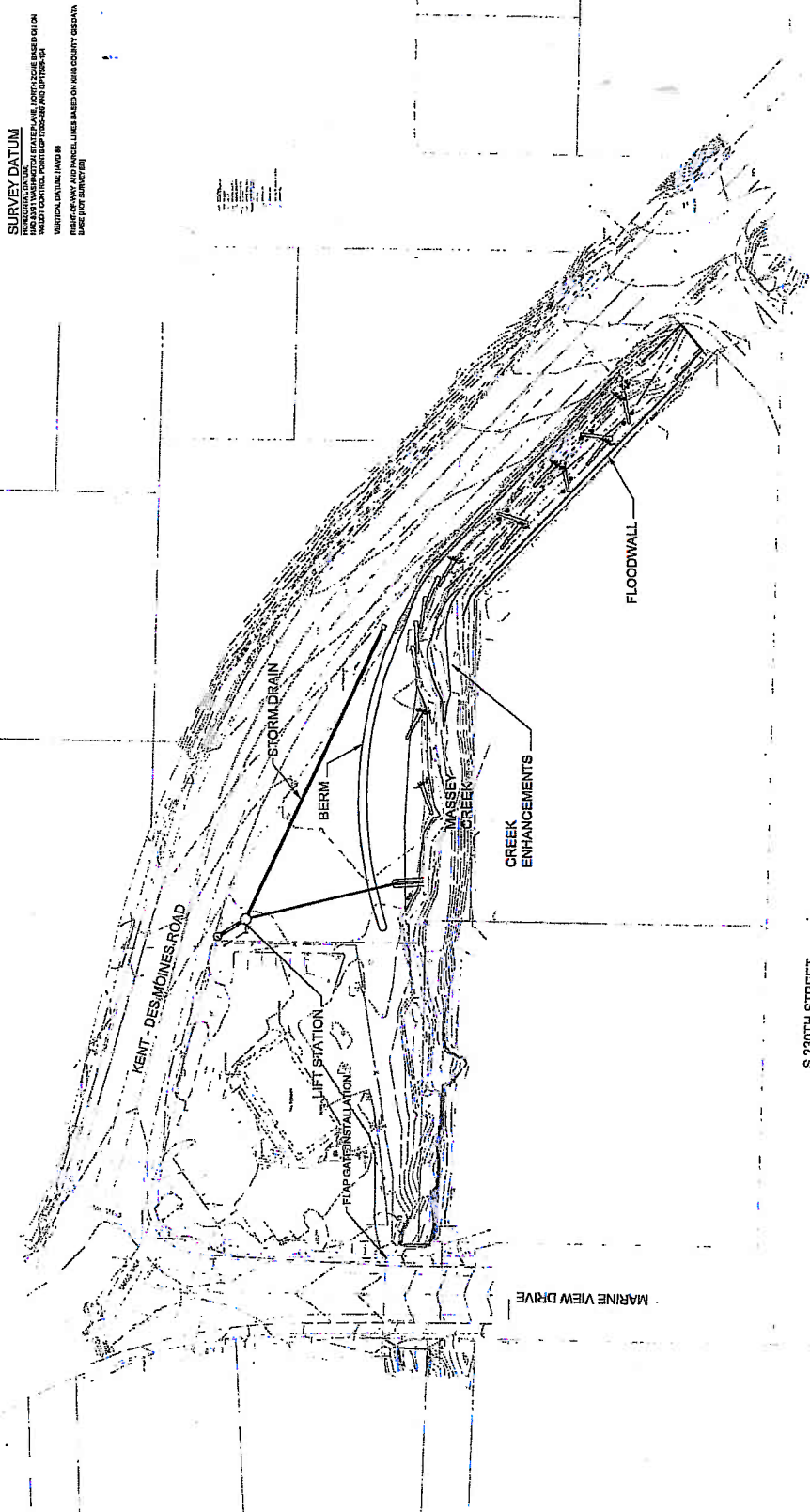
ADJACENT PROPERTY OWNERS:
Accord Inc., Dean Lyle, Tony Romano

LOCATIONS:
Parcel 201140-0523

LAT/LONG: *47.3964*
LAT: ~~47° 14' 5.0500"~~
LONG: ~~122° 41' 31.6284"~~ *-122.3246*

DATE: April 15, 2014

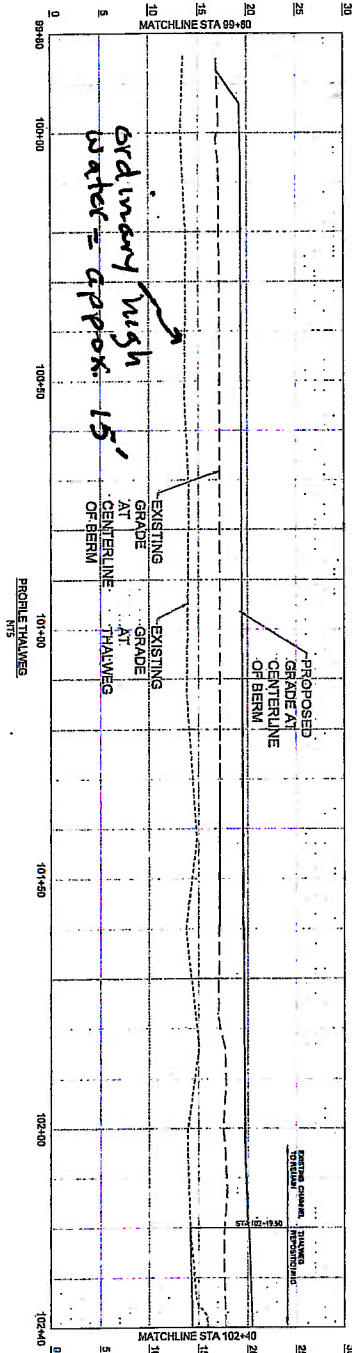
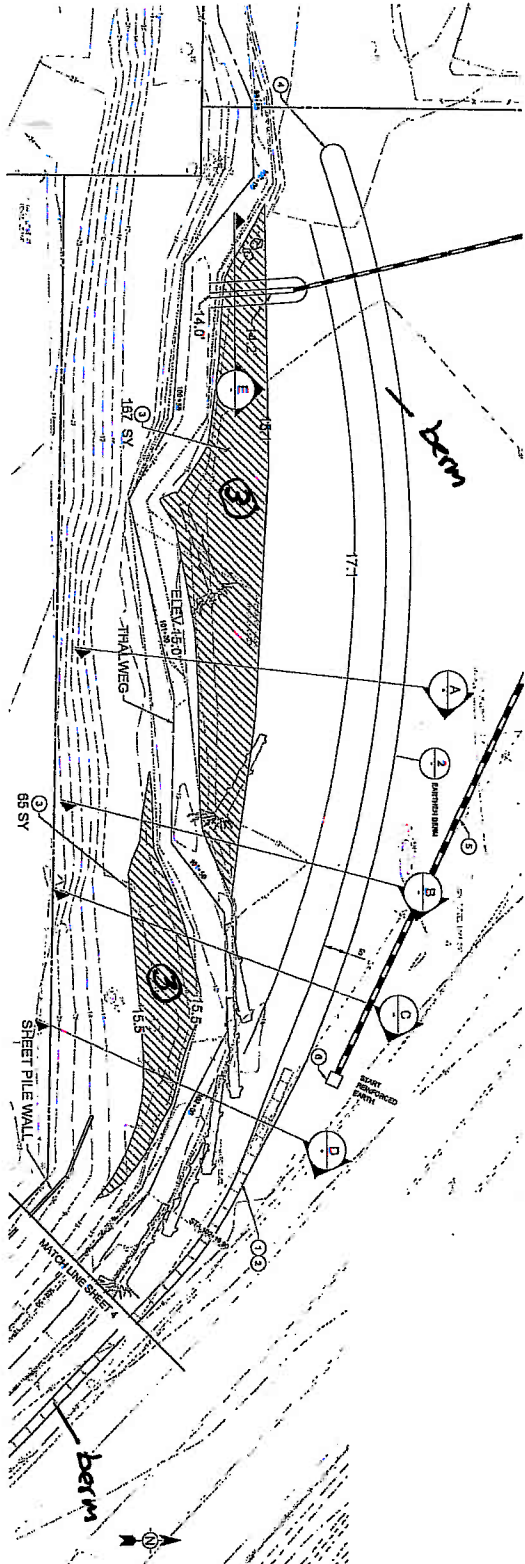
PROPOSED PROJECT:
Lower Massey Creek Improvements
IN: Duwamish River Basin
(6th Field HUC: 171100190204)
NEAR/AT: Des Moines, WA
COUNTY: King STATE: WA
SHEET: 1 of *29*



SITE PLAN - FLOODWALL CREEK AND PUMP STATION

PROPOSED PROJECT: Lower Massey Creek Improvements
IN: Duwamish River Basin
 (6th Field HUC: 171100190204)
NEAR/AT: Des Moines, WA
COUNTY: King
STATE: WA
SHEET: 2 of 79

REFERENCE #: **NW55-2014-1140**
 APPLICANT: City of Des Moines
 HORIZONTAL DATUM: NAVD 88
 ADJACENT PROPERTY OWNERS:
 Accord Inc., Dean Lyle, Tony Romano

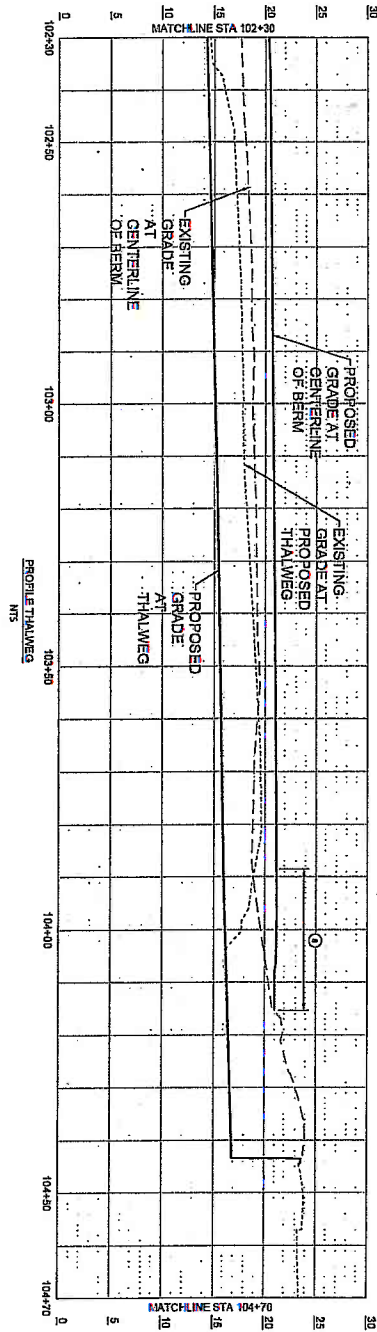
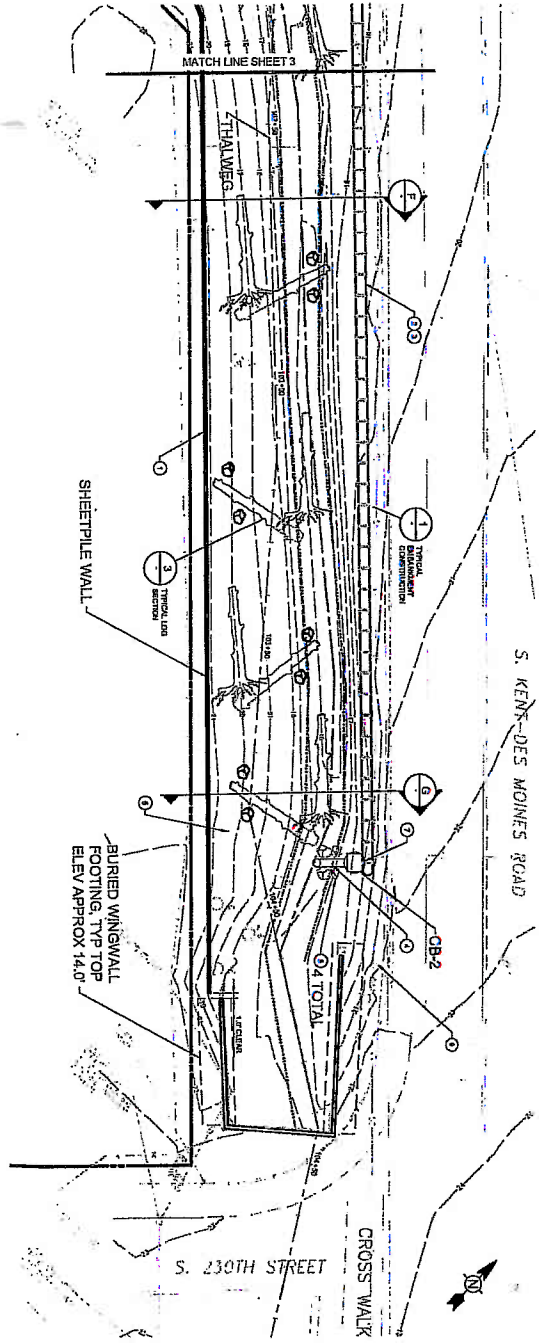


REFERENCE #: *WWS-2014-1140*
APPLICANT: City of Des Moines
HORIZONTAL DATUM: NAVD 88
ADJACENT PROPERTY OWNERS:
 Accord Inc., Dean Lyle, Tony Romano

LOCATIONS:
 Parcel 201140-0523
LAT/LONG:
 LAT: 42° 44' 5.0583"
 LONG: -122° 44' 34.0284"
DATE: April 15, 2014

CREEK PLAN A

PROPOSED PROJECT:
 Lower Massey Creek Improvements
IN: Duwamish River Basin
 (6th Field HUC: 171100190204)
NEAR/AT: Des Moines, WA
COUNTY: King **STATE:** WA
SHEET: 3 of 7

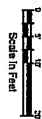


GENERAL NOTES:

1. PROFILE LINE SHALL BE ONE FROM BERM BETWEEN MARKED TOP ELEVATIONS

CONSTRUCTION NOTES:

1. SHEET PILE WALL.
2. REINFORCED EARTH.
3. PROFILE.
4. STORM DRAIN EXTENSION.
5. STREAMBED Boulders 24" MAX. PARTIALLY BURIED WITH 8" TOP OF BOLDER EXPOSED ABOVE FINISHED GRADE.
6. BANK LOG WITH ROOTTOWARD.
7. CONNECT EX STORM DRAIN TO CATCH BASIN.
8. GRADING EXTENDED TO TIE INTO EXISTING GROUND SURFACE.
9. END ROCK-LINED GUTTER AT WEST FACE LIGHT BARE.

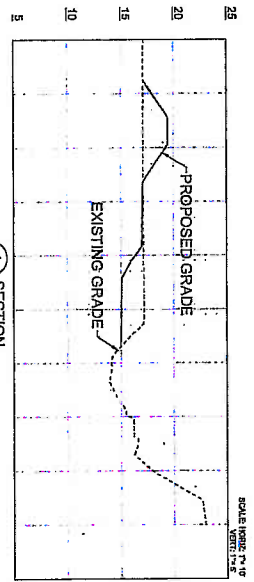


CREEK PLAN B

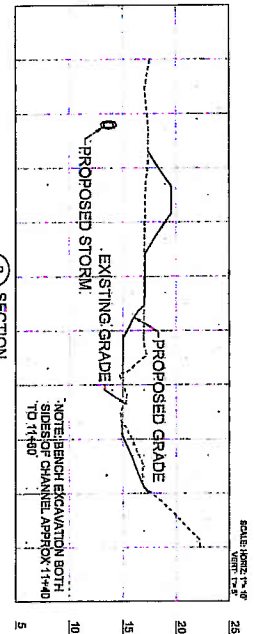
REFERENCE #: *MS-2014-1140*
APPLICANT: City of Des Moines
HORIZONTAL DATUM: NAVD 88
ADJACENT PROPERTY OWNERS:
 Accord Inc., Dean Lyle, Tony Romano

LOCATIONS:
 Parcel 201140-0523
LAT/LONG:
 LAT: 42° 44' 5.0568"
 LONG: 122° 41' 34.0204"
DATE: April 15, 2014

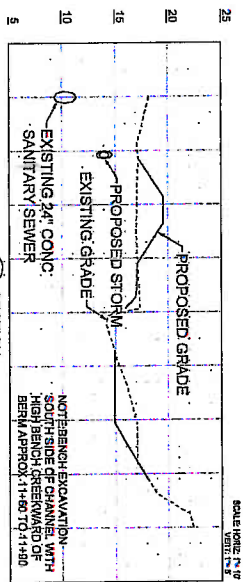
PROPOSED PROJECT:
 Lower Massey Creek Improvements
IN: Duwamish River Basin
 (6th Field HUC: 171100190204)
NEAR/AT: Des Moines, WA
COUNTY: King
STATE: WA
SHEET: 4 of 79



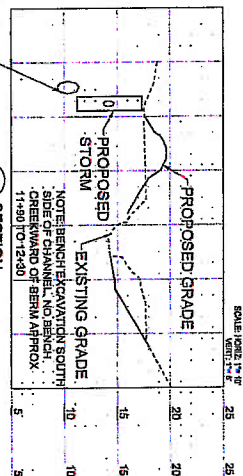
A SECTION



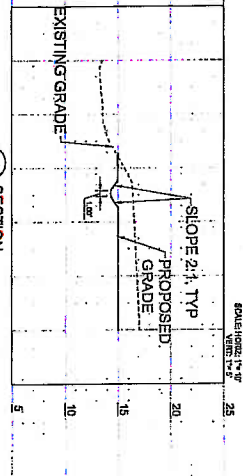
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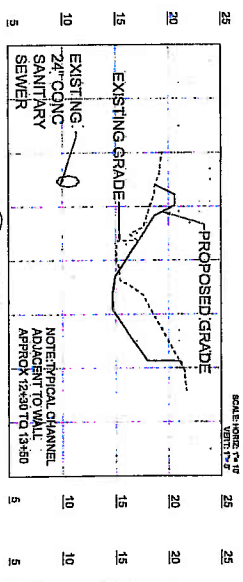
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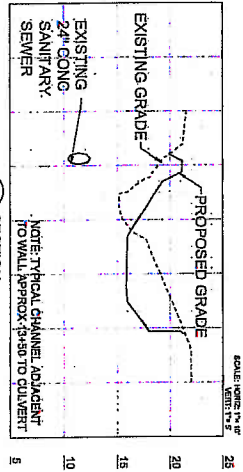
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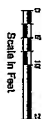
E SECTION



F SECTION



G SECTION

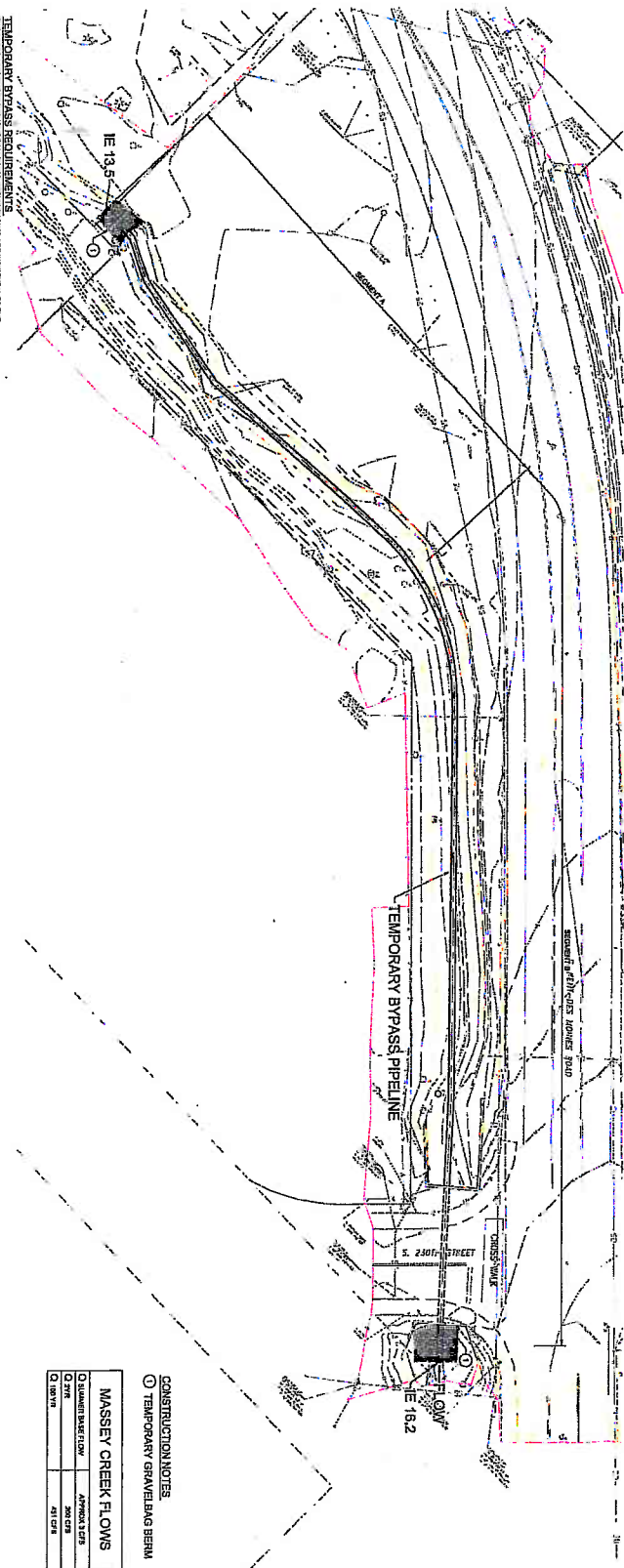


CREEK SECTIONS

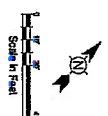
REFERENCE #: **W5-2014-1140**
 APPLICANT: City of Des Moines
 HORIZONTAL DATUM: NAVD 88
 ADJACENT PROPERTY OWNERS:
 Accord Inc., Dean Lyle, Tony Romano

LOCATIONS:
 Parcel 201140-0523
 LAT/LONG:
 LAT: 41° 14' 50.66"
 LONG: 122° 41' 51.0284"
 DATE: April 15, 2014

PROPOSED PROJECT:
 Lower Massey Creek Improvements
 IN: Duwamish River Basin
 (6th Field HUC: 171100190204)
 NEAR/AT: Des Moines, WA
 COUNTY: King STATE: WA
 SHEET: 5 of 9



- [illegible]



MASSEY CREEK FLOWS	
Q SLUICED BASE FLOW	APPROX 3 CFS
Q 2YR	200 CFS
Q 100 YR	451 CFS

CONSTRUCTION NOTES

① TEMPORARY GRAVEL BAG BERM

STREAM BYPASS PLAN

REFERENCE #: **plus-2014-1140**
 APPLICANT: City of Des Moines
 HORIZONTAL DATUM: NAVD 88
 ADJACENT PROPERTY OWNERS:
 Accord Inc., Dean Lyle, Tony Romano

LOCATIONS:
Parcel 201140-0523
LAT/LONG:
~~LAT: 47° 44' 5.0568"~~
~~LONG: 122° 41' 51.0284"~~
DATE: April 15, 2014

PROPOSED PROJECT:
Lower Massey Creek Improvements
IN: Duwamish River Basin
(6th Field HUC: 171100190204)
NEAR/AT: Des Moines, WA
COUNTY: King
STATE: WA
SHEET: 6 of 9



Photo 3: Upland dominated by Creeping buttercup (December 2013).



Photo 4: Riparian upland vegetation (December 2013).



Photo 5: Riparian vegetation (December 2013).



Photo 6: Stream channel habitat (December 2013).